

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q87449

Hiromu HABASHITA, et al

Appln. No.: Based on PCT/JP02/10828

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: April 15, 2005

Examiner: Unknown

For: SPIROHETEROCYCLIC RING DERIVATIVE COMPOUND AND
PHARMACEUTICAL COMPOSITION COMPRISING THE COMPOUND AS ACTIVE
INGREDIENT

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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Attorney Docket No. Q87449

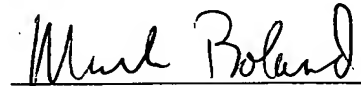
filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP02/10828 dated October 18, 2002), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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Substitute for Form 1449 A & B/PTO				Application Number		Based on PCT/JP02/10828	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Confirmation Number		Unknown	
				Filing Date		April 15, 2005	
				First Named Inventor		Hiromu HABASHITA	
				Art Unit		Unknown	
				Examiner Name		Unknown	
Sheet 1 of 1				Attorney Docket Number		Q87449	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,962,462	A	10/05/1999	Sander G. MILLS, et al
		US 2001/0039286	A1	11/08/2001	Kevin DINNELL, et al

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		JP	2002-348288	A	12/04/2002	ONO PHARMACEUTICAL CO., LTD.	No
		JP	57-14588	A	01/25/1982	KANTO ISHI PHARMACEUTICAL KABUSHIKI KAISHA	No
		JP	57-14590	A	01/25/1982	KANTO ISHI PHARMACEUTICAL KABUSHIKI KAISHA	No
		JP	55-143980	A	11/10/1980	DAIICHI PHARMACEUTICAL CO., LTD.	No
		JP	49-49977	A	05/15/1974	GRELAN PHARMACEUTICAL CO., LTD.	No
		WO	01/58867	A2	08/16/2001	ASTRAZENECA AB	
		WO	01/09138	A2	02/08/2001	MILLENNIUM PHARMACEUTICALS, INC.	
		WO	02/13824	A1	02/21/2002	MERCK & CO., INC.	
		JP	2001-278886	A	10/10/2001	DAIICHI PHARMACEUTICAL CO., LTD.	No
		WO	01/25200	A1	04/12/2001	TAKEDA CHEMICAL INDUSTRIES, LTD.	
		WO	00/66551	A1	11/09/2000	TAKEDA CHEMICAL INDUSTRIES, LTD.	Abstract
		WO	98/25605	A1	06/18/1998	MERCK & CO., LTD.	
		WO	00/42852	A1	07/27/2000	SMITHKLINE BEECHAM CORP.	
		WO	99/37651	A1	07/29/1999	LEUKOSITE, INC.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Chemical abstracts, 2000, Vol. 132, No. 12, 145995g & Expert Opinion on Therapeutic Patents. 2000 Vol. 10, No. 1, pages 125 to 129	
		Chemical abstracts, 1998, Vol. 128, No. 13, 154093f, compound I	
		YAMATO Masatoshi et al., Synthesis and Structure-Activity Relationship of Spiro [isochroman-piperidine] Analogs for Inhibition of Histamine Release. II, Chemical & Pharmaceutical Bulletin, 1981, Vol. 29, No. 12, pages 3494 to 3498, table I.	
		Chemical abstracts, 1966, Vol. 64, 8204h, 8205a-h 8206a-f, compound (I)	
		Chemical abstracts, 1972, Vol. 77, 48151s, compound IV, & Armyanskii Khimicheskii Zhurnal, 1972, Vol. 25, No. 2, pages 163-167	
		FINKE Paul E. et al., Antagonists of the human CCR5 Receptor as Anti-HIV-1 Agents. Part 3: A Proposed Pharmacophore Model for 1-[N-(Methyl)-N-(phenylsulfonyl)amino]-2-(phenyl)-4-[4-(substituted)piperidin-1-yl]butanes, Bioorganic & Medicinal Chemistry Letters, 2001, Vol. 11, No. 18, pages 2469 to 2473, particularly, table 1.	
		MIRZADEGAN Tara et al., Identification of the Binding Site for a Novel Class of CCR2b Chemokine Receptor Antagonists, Journal of Biological Chemistry, 2000, Vol. 275, No. 33, pages 25562 to 25571, particularly, Fig. 1.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.